IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5814 OF 2005

da Cunha Associates Private Limited & Anr. : Petitioners

V/s.

Dilip Jhangiani & Ors. : Respondents

...

Mrs.Madhavi Diwan M/s. Mahimtura & Co., for the petitioners.

Mr.Karim Vakil for the respondent nos.1 to 4.

Mr.V.Y. Sanglikar for the respondent no.5.

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CORAM : S.A. BOBDE, J.

September 29, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Karim Vakil for the respondent nos.1 to 4 and Mr.Sanglikar for the respondent no.5 appear and waive service of rule.

Heard by consent.

2. There is no reason to interfere with the impugned order rejecting permission to the petitioners to amend the earlier affidavit. However, the petitioners shall be at

liberty to file an additional affidavit in regard to the subject of the amendment.

3. The rule stands discharged.

S.A. BOBDE, J.